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91ST CONGRESS }
2d Session }

SENATE

{ REPORT
{ No. 91-1103

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON JOSE GUADALUPE ESPARZA-MONTOYA

AUGUST 12 (legislative day, AUGUST 11), 1970.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany H.R. 12446]

The Committee on the Judiciary, to which was referred the bill (H.R. 12446) to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya.

STATEMENT OF FACTS

Mr. Jose Guadalupe Esparza-Montoya was born in Mexico on July 8, 1948. He entered the United States for permanent residence on June 13, 1962, accompanied by his mother, two sisters, and two brothers. His father was lawfully admitted for permanent residence on November 7, 1955. He was inducted into the U.S. Army in August of 1968, where he served honorably until his death in Vietnam on May 20, 1969.

A letter, with attached memorandum, dated January 2, 1970, to the chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., January 2, 1970.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 12446) for the relief of Guadalupe Esparza-Montoya, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the beneficiary shall be considered to have been a citizen of the United States at the time of his death on May 20, 1969, while serving with the U.S. Army in Vietnam.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 12446

Information concerning this case was obtained from Erendida Esparza-Montoya, a sister of the deceased beneficiary.

The beneficiary, whose correct name was Jose Guadalupe Esparza-Montoya, was born in Mexico on July 8, 1948. He was never married. His father, a native and citizen of Mexico, was lawfully admitted to the United States for permanent residence on November 7, 1955. The beneficiary, his mother, his two sisters, and his two brothers entered the United States on June 13, 1962, as lawful permanent residents. The beneficiary's family lives in Chicago, Ill.

The beneficiary graduated from high school in June 1968. He was inducted into the U.S. Army on August 21, 1968, at Chicago and was killed in action on May 20, 1969, in Vietnam.

Private bill H.R. 12445 in behalf of the beneficiary is also pending.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 12446) should be enacted.

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